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14 Attorneys for Defendant
PACIFIC BELL TELEPHONE COMPANY

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

19
CALIFORNIA SPORTFISHING
PROTECTION ALLIANCE,

Plaintiff,

V.

PACIFIC BELL TELEPHONE COMPANY.

Defendant.

Case No. 2:21-cv-00073-MCE-JDP

**PACIFIC BELL'S NON-OPPOSITION
TO PLAINTIFF'S PROPOSED
REVISED AND SHORTENED
SCHEDULE**

Judge: Hon. Jeremy D. Peterson
Date: January 25, 2024
Time: 10:00 a.m.
Courtroom: 9

Action Filed: January 14, 2021

1 Defendant Pacific Bell Telephone Company (Pacific Bell) submits this brief response to
2 Plaintiff California Sportfishing Protection Alliance’s (Plaintiff) supplemental declaration in
3 support of its pending motion to modify the current case schedule. ECF No. 123. That declaration
4 includes both argument and factual assertions, and while Pacific Bell does not agree with all of
5 them a specific response is unnecessary in light of Plaintiff’s changed position. More specifically,
6 Plaintiff now proposes a “revised shortened schedule,” including modifying its original proposal
7 by more than 70 days for some deadlines. *Id.* at ¶ 51. Under the circumstances, Pacific Bell does
8 not oppose that revised schedule.

9 We will continue to work with Plaintiff on scheduling and related matters. Towards that
10 end, Pacific Bell is conferring with Plaintiff on its sediment sampling and has proposed the parties
11 agree to a process for split samples to be collected in the field in connection with that sampling.¹
12 We appreciate the Court's assistance to address scheduling matters and are mindful circumstances
13 can arise that warrant modifications to the schedule.

14 || Respectfully submitted,

16 || DATED: February 8, 2024

PAUL HASTINGS LLP

By: /s/ Navi Singh Dhillon
NAVI SINGH DHILLON

Attorneys for Defendant
PACIFIC BELL TELEPHONE COMPANY

²⁴ ¹ During a meet-and-confer with counsel for Plaintiff on January 31, counsel for Pacific Bell asked
²⁵ for specifics regarding Plaintiff's plan to collect sediment samples, including why a permit was
²⁶ needed for what should be limited and discrete field work. Plaintiff declined during that call to
²⁷ provide any specifics, explaining its permit application was still in "process." As background,
²⁸ Pacific Bell has produced in discovery a report from 2023 that found lead levels in sediment near
the cables "are indistinguishable from background and that the cables do not adversely influence
lead concentrations in Lake Tahoe sediment." A true copy of that report is attached as **Exhibit A**
to the Dhillon Declaration.